

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6897**

**BILL NUMBER:** SB 291

**NOTE PREPARED:** Mar 4, 2003

**BILL AMENDED:** Mar 3, 2003

**SUBJECT:** Conservancy Districts.

**FIRST AUTHOR:** Sen. Lawson C

**FIRST SPONSOR:** Rep. Lytle

**BILL STATUS:** As Passed - Senate

**FUNDS AFFECTED:**     **GENERAL**  
                          **DEDICATED**  
                          **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** (Amended) This bill makes the following changes in a conservancy district in Hendricks County that before July 1, 2003, used the notice procedure described in IC 14-33-4-3. For this districts, the bill requires mailed notice of an annual meeting to all freeholders of a conservancy district. The bill specifies the procedure for voting by absentee ballot in district board elections. It requires mailed notice to all freeholders in a district of a hearing concerning the district's proposed ordinance to establish, change, or readjust a district's rates and charges for the collection, treatment, and disposal of sewage and liquid waste. This bill also requires the notice to include a statement informing the freeholders of their right to file a petition objecting to an ordinance increasing rates at a yearly rate that is greater than 5%. The bill also establishes the minimum number or proportion of freeholders in a district signing a petition objecting to an ordinance increasing the rates. It also eliminates the presumption that rates and charges adopted by a district are just and equitable.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) This bill applies to Hendricks County. Requiring mailed notice of a board of trustees annual meeting; requiring mailed notice to all users of a district's hearing concerning a district's proposed ordinance to establish, change, or readjust the district's rates and charges; and requiring a notice of a proposed ordinance to change or readjust rates to contain a statement informing property owners of the district of their right to file a petition objecting to an ordinance increasing rates at a

yearly rate that is greater than 5% will increase administrative costs to the districts by an indeterminable amount. (Under certain circumstances the notice may be included in the district's periodic billing which could reduce postage costs.)

If additional mailing expenses are required, costs could include costs for envelopes, postage, paper, printing, and staff time. If 10,000 freeholders were affected and if costs per mailing equaled \$1, the district would incur a cost of an estimated \$10,000 for one mailing. This cost would be multiplied by the number of mailings required during the course of the year.

**Explanation of Local Revenues:** (Revised) The bill provides under certain circumstances an alternative procedure to a petition objecting to an ordinance that increases or readjusts rates and charges. This provision could affect revenues generated by the district. The impact, however, is indeterminable and would depend on local action.

**State Agencies Affected:**

**Local Agencies Affected:** Hendricks County Conservancy District.

**Information Sources:** Alan Hux, attorney, 639-4611.

**Fiscal Analyst:** Bernadette Bartlett, 317-232-9586